## REMARKS

This Amendment is submitted in response to the Office Action dated June 14, 2005, having a shortened statutory period set to expire September 14, 2005. Claims 1-11 remain pending with claims 1 and 9 amended herein.

### Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 6-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,633,543, issued to Storr (hereinafter *Storr*), in view of U.S. Pat. App. No. 2003/0021279, filed by Shobatake (hereinafter *Shobatake*), and in further view of U.S. Pat. No. 6,404,740, issued to Yoshida (hereinafter *Yoshida*). Applicants respectfully traverse the foregoing rejections as applied to the claims as amended herein for the following reasons.

As explained in Applicants' Amendment A filed on January 31, 2005, Applicants' proposed invention is directed to a "method of enabling remote surveillance" of any given port in an ATM network. The surveillance function may include monitoring problems resulting from, for example, conflicts in the switch fabric occurring between cells for the same switch output port. The proposed invention requires that all cell traffic into or from a given port be duplicated and marked for transmission to the surveillance node. This limitation is expressly recited by independent claims 1 and 9, namely, "duplicating *all* cells of incoming traffic entering through said entry port" and "marking *all* of said duplicated cells." The final element then requires that the duplicated and marked cells (comprising all cells regardless of membership in a particular virtual path or channel) be transported, along a specified path to said observation point. The independence of the duplicating, marking, and alternate transport from a particular virtual path or channel is emphasized in Applicants' specification on page 16, lines 22-32, and the distinction from conventional multicasting on page 17, lines 13-18. This limitation clearly distinguishes the proposed invention from multicasting techniques in which, as pointed out on page 14, lines 31-32, "...*some* cells must be forwarded to several ports..." depending on their membership in a particular virtual path or channel for a multicast session.

In contrast to Applicants' proposed port snooping in which all cells through a given port are duplicated, marked, and transported to an observation node, the cell duplication and transmission disclosed by *Storr* at col. 6, lines 51-53 is clearly conventional multicasting in

which cells are replicated for transmission per virtual circuit. Nothing in *Storr* discloses or suggests a port surveillance technique in which all cells, irrespective of membership in a particular channel, are duplicated and transmitted to a traffic observation node.

The foregoing notwithstanding, Claims 1 and 9 have been amended to more clearly characterize Applicants' proposed invention. Specifically, claims 1 and 9 recite a step/means for "marking all of said duplicated cells, wherein said marking is connection independent" (emphasis added). This amendment distinguishes the port surveillance method/system recited by claims 1 and 9 from the proposed combination of *Storr* with *Shobatake*, which as explained in item 1 on page 3 of the Office Action, would result in cell tagging to indicate a connection to which the cell belongs.

Since nothing in Storr, *Shobatake*, or Yoshida, individually or in any combination disclose the foregoing limitation, Applicants submit that the foregoing rejections of claims 1 and 9, and all claims depending therefrom should properly be withdrawn.

Applicants invite the Examiner to contact the undersigned attorney of record at (512) 343-6116 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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